

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 01, 2019

SEAN F. McAVOY, CLERK

MELLISA L.,

No. 1:18-CV-3131-JTR

v.

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 19. Attorney D. James Tree represents the claimant; Special Assistant United States Attorney Leisa A. Wolf represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No.6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) will hold a *de novo* hearing, update the medical records, and issue a new decision. The ALJ shall: (1) reevaluate the medical opinion evidence; (2) reevaluate Plaintiff's impairments at step two; (3) obtain expert medical testimony, if available, to reconsider Plaintiff's

1 impairments at step three; (4) reevaluate Plaintiff's residual functional capacity;
2 and (5) if warranted, obtain supplemental vocational expert evidence to clarify the
3 effects of the assessed limitations on Plaintiff's ability to perform other work in the
4 national economy. Plaintiff may present additional testimony and submit
5 additional evidence.

6 2. **Judgment shall be entered for PLAINTIFF.**

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 12**, is
8 **STRICKEN AS MOOT.**

9 4. An application for attorney fees and costs may be filed by separate
10 motion.

11 The District Court Executive is directed to enter this Order, forward copies
12 to counsel, and **CLOSE THE FILE.**

13 DATED April 1, 2019.



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A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE